



Attorney Docket No. 463037-00015/A-64559-3/RFT/RMS/RMK

PATENT

H26  
PP  
considered  
W/Cook  
3/26/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

O'CONNOR *et al.*

Serial No.: 09/096,593

Filed: 6/12/1998

For: *ELECTRONIC METHODS  
FOR THE DETECTION OF  
ANALYTES*

Group No. 1641

Examiner: LISA COOK

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Date:

Signature

*September 10, 2002*  
*Mary M. McFarland*  
Mary McFarland

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DECLARATION PURSUANT TO 37 C.F.R. § 131

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

I, **Steven O'Connor**, do hereby declare as follows:

1. I am an inventor on the above identified patent application and am familiar with its contents.
2. I have reviewed the pending claims in this application.
3. I am familiar with the Office Action mailed on April 19, 2002, where claims 20 and 25-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keen (U.S. Patent 6,060,327) filed on May 14, 1997.
4. The basic concept of a biosensor, as disclosed in claims 20 and 25-30, was contemplated in this country prior to May 14, 1997 as evidenced by the appended documents.

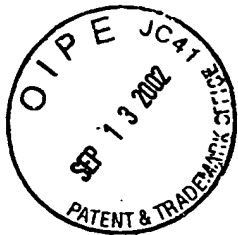
5. Appended Document 1 comprises a provisional application entitled "Alternating Current Methods for the Detection of Analytes", U.S.S.N. 60/040,153. See for example page 3, lines 5-9, page 7, lines 11-25, and page 15, line 20 through page 27, line 22 for disclosure describing the apparatus disclosed in claims 20 and 30. This application was filed prior to May 14, 1997 (see Document 2).

6. Appended Document 2 is the filing receipt for U.S.S.N. 60/040,153. The filing receipt shows a filing date of March 7, 1997.

7. In conclusion, the invention was completed in this country prior to May 14, 1997.

8. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made herein with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 in the United States Code, and that any such willful false statements may jeopardize the validity of the application or patent issuing therefrom.

Date: POZ Sept 6, 2012 Signed: POZ  
Steven O'Connor



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Signature: *Mary M. Farland*  
Mary McFarland

*Considered  
LC 3/26/03*

DECLARATION PURSUANT TO 37 C.F.R. § 131

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

I, **Jon F. Kayyem**, do hereby declare as follows:

1. I am an inventor on the above identified patent application and am familiar with its contents.
2. I have reviewed the pending claims in this application.
3. I am familiar with the Office Action mailed on April 19, 2002, where claims 20 and 25-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Keen (U.S. Patent 6,060,327) filed on May 14, 1997.
4. The basic concept of a biosensor, as disclosed in claims 20 and 25 –30, was contemplated in this country prior to May 14, 1997 as evidenced by the appended documents.

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Date: September 3, 2002

Signed: \_\_\_\_\_

  
Jon F. Kayyem